

BROWDY AND NEIMARK, P.L.L.C.

ATTORNEYS AT LAW

PATENT AND TRADEMARK CAUSES

SUITE 300

624 NINTH STREET, N.W.

WASHINGTON, D. C. 20001-5303

TELEPHONE (202)-628-5197

ALVIN BROWDY (1917-1998)

PATENT AGENT

ALLEN C. YUN, PH.D.

TELECOPIER FACSIMILE

(202) 737-3528

(202) 393-1012

E-MAIL

mail@browdyneimark.com

SHERIDAN NEIMARK
ROGER L. BROWDY

ANNE M. KORNBAU
NORMAN J. LATKER
DIANA MICHELLE SOBO
AOI NAWASHIRO

OF COUNSEL

IVER P. COOPER
JAY M. FINKELSTEIN

January 29, 2004

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Patent Application
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Re: New Patent Application in U.S.
Applicant(s): Haim SHANI et al
Title: NON-INVASIVE METHOD AND APPARATUS TO DETECT AND MONITOR EARLY...
Atty's Docket: SHANI1A

Sir:

Attached herewith is the above-identified application for Letters Patent including:

- ☒ [X] Specification (28 pages) claims (10 pages) and abstract (1 page)
- ☒ [X] 7 Sheets Drawings (Figures 1A-10)
 - ☒ [X] FORMAL [] Informal
- ☒ [X] The inventors of this application are:
Haim SHANI
Itai SHAVIT
- ☒ [X] SB/08A
- ☒ [X] Return Receipt Postcard (in duplicate)

The following statements are applicable:

- ☐ [] Applicant hereby requests that this application **not** be published pursuant to 35 U.S.C. §122(a). It is certified on behalf of applicant that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.
- ☒ [X] Applicant claims small entity status. See 37 C.F.R. §1.27.
- ☒ [X] The benefit under 35 USC §119 is claimed of the filing date of:
Application No. 131108 in Israel on 07/26/1999. A certified copy of said priority document [] will follow [] is attached [XX] was filed in progenitor case 10/056,064 on 01/28/2002, [XX] was provided in Application No. PCT/IL00/00443 in Israel on 07/25/2000.
Application No. 131245 in Israel on 08/04/1999. A certified copy of said priority document [] will follow [] is attached [XX] was filed in progenitor case 10/056,064 on 01/28/2002 [XX] was provided in Application No. PCT/IL00/00443 in Israel on 07/25/2000.
- ☐ [] The present application claims the benefit of U.S. Provisional Appln. No. 60/_____, filed ____.
- ☒ [X] The present application is a [] Continuation [] Division [X] Continuation-in-Part of prior Application No. 10/056,064, filed January 28, 2002, which is a C.I.P. of Application No. PCT/IL00/00443 in Israel on 07/25/2000. Although this application is stated to be a CIP, applicant does not concede that any matter is presented in this application which is not present in the parent.

- 13281 U.S. PTO
012904
- [X] Amend the specification by inserting before the first line the sentence:
[X] --This is a continuation-in-part of copending parent application No. 10/056,064, filed January 28, 2002, which was a C.I.P. of Application No. PCT/IL:00/00443 in Israel on 07/25/2000
[] --The present application claims the benefit of U.S. Provisional Appln. No. 60/_____, filed _____
[] --The present application is the national stage under 35 U.S.C. §371 of international application _____ which designated the United States[, which international application was published under PCT Article 21(2) in English].--
- [X] The application is (or will be) assigned to: CARDIOSENSE whose address is P.O. Box 212, Nesher 36601, Israel.
- [X] Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 10/056,064, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.
- [] Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- [X] In accordance with 37 CFR 1.53(a) and (b), it is respectfully requested that a serial number and filing date be assigned to this application as of the date of receipt of the present papers. In accordance with the present procedures of the U.S. Patent and Trademark Office, an executed Declaration and the filing fee for the present application will be filed in due course.
- [X] **No authorization is given for charging the filing fee at the present time. However, at such time that the declaration is filed, but not before, you are authorized to charge whatever excess fees are necessary (including the filing fee and any extension of time fees then due) to Deposit Account 02-4035, if any such fees due are not fully covered by check filed at that time.**
- [X] The attorneys of record for this application and the address will be those of Customer No. 001444; i.e., Sheridan Neimark, Reg. No. 20,520; Roger L. Browdy, Reg. No. 25,618; Anne M. Kornbau, Reg. No. 25,884; Norman J. Latker, Reg. 19,963; Iver P. Cooper, Reg. No. 28,005; Jay M. Finkelstein, Reg. No. 21,082; and *Allen C. Yun, Reg. No. 37,971 (*Patent Agent). Please send all correspondence with respect to this case to:

BROWDY AND NEIMARK, P.L.L.C.
624 Ninth Street, N.W.
Washington, D.C. 20001

Please direct all telephone calls to Browdy and Neimark at (202) 628-5197.

- [X] The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.

By: _____

Sheridan Neimark
Registration No. 20,520

SN:jl